PRESIDENT: Yesterday I promised to give the reasons for the ruling that I gave. These are my reasons. In considering whether, in Budget debates, the matters reserved by Section 11 of the Regulation can be brought into discussion, I must first of all advert to the general principle which forms an integral part of the constitution of the Council, but that certain matters are excluded from the purview of the Council. Otherwise than in or through Budget debates, any matter can come up before the Council only in one or other of the following ways, viz:—

(1) by Legislative measures,
(2) by Interpellations,
(3) by Resolutions, and
(4) by Adjournment motions.

There can be no doubt that the reserved matters are clearly excluded from these 4 avenues. Could the framers of the constitution have then intended that these matters could be seized through Budget debates?...

Secondly, there is no doubt a distinction between income and expenditure. But, is such a clear-cut distinction conceivable in Budget debates? Can we envisage an ordinary debate on income from a particular head in complete detatchment from the expenditure under that head, for instance, the expenditure necessary to raise that income or to increase that income? And could such a debate, if conceivable, have been intended to be availed of by a body which is called upon to vote only on the items of expenditure?...

It is with these general considerations in mind that Section 16 sub-section (4), has to be interpreted. It may be that the language of the provision is not quite happy. But I feel no doubt as to the real intention of the provision, and that intention is that the reserved matters should not in any manner be brought into discussion. Any other interpretation would lead to this illogical result, that although you cannot touch upon these matters even for the purpose of asking for information by means of interpellations and even though you cannot make a recommendation on them by means of resolutions, you can still *discuss*, them. It is not reasonable to put such a construction on legal or constitutional provisions unless the language unambiguously warrants it. However, what Section 16 (4) does in terms prohibit is "discussion". It is possible to draw a distinction between "discussion" on the one hand and a "representation" or "a casual reference" on the other. At any rate such a distinction has been drawn by Mr. Raghaviah as President of this House and he has ruled that, while the former is objectionable, the latter is permissible. And it is that distinction that I too have tried to maintain during the last two days. It may be that the distinction is somewhat subtle. But I suppose the line has to be drawn according to the best judgment of the President and that is why I have sometimes

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allowed reference to reserved matters and at other times disallowed it and that apparently is the reason why Mr. Raghaviah also sometimes allowed reference to them and at other times objected to it. His ruling whenever he had to, or was called upon to, rule is clear and no contrary ruling has been cited. It is for these reasons that I made the ruling that I gave you yesterday.

MR. S. VENKATRAMANA AIYAR (*Ag. Financial Secretary to Government*): Sir, with your permission I wish to make a personal explanation. Yesterday, towards the close of my speech, a member on the other side asked a question about the omission from the Assets and Liabilities statement exhibited on page 7 of the Budget Estimates of the Capital liability of the Government on the Shencotta-Quilon Railway. I am afraid the answer that I gave yesterday did not make the position clear. Sir, the Assets and Liabilities statement given in the Budget includes only the present assets and liabilities of the Government. The assets portion of the accounts will show only the moneys in our hands already or advanced by us to others. Similarly the liabilities section will show only the moneys actually received and brought to account by us and which we owe to others. The item referred to is not a present liability, since we have not received either as loan or as deposit any sum on account of the construction of the Quilon-Shencotta Railway. Our liability is only to pay a certain sum when we take over the railway after the expiry of the present contract. It is thus not a liability which can now find a place in the accounts which is a record of completed transactions only. It is for the taking over of the line after 1945 that we are now setting apart a certain sum every year towards a Sinking Fund.

VOTING OF—DEMANDS FOR GRANTS.

PRESIDENT: We shall now proceed to the demands for grants.

DEMAND I—LAND REVENUE.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I move for a grant not exceeding Rs. 9, 15,551 under Demand I - Land Revenue.

Motions 1 to 3.

The following motions were not made:

MR. R. RAMAN PILLAI:

1. To reduce the allotment of Rs 15,264 for establishment by Rs. 100.

MR. K. G. PARAMESVARAN PILLAI:

2. To reduce the allotment of Rs 15,264 for establishment by Rs. 100.

MR. MURUVELIL PACHU PILLAI:

3. To reduce the allotment of Rs. 4,000 for travelling allowance by Re. 1.

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